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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/768,702	02/02/2004	Armin Leder	32368-200452	7673
26694	7590	02/14/2005	EXAMINER	
VENABLE, BAETJER, HOWARD AND CIVILETTI, LLP			WELCH, GARY L	
P.O. BOX 34385				
WASHINGTON, DC 20043-9998			ART UNIT	PAPER NUMBER
			3765	

DATE MAILED: 02/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/768,702

Applicant(s)

LEDER, ARMIN

Examiner

Gary L. Welch

Art Unit

3765

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

**A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.**

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 02 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9, 11 and 14-21 is/are rejected.
- 7) ☒ Claim(s) 10, 12 and 13 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau. (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 020204, 072104.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Specification*

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

2. The abstract of the disclosure is objected to because the abstract exceeds 150 words. Correction is required. See MPEP § 608.01(b).

### *Claim Objections*

3. Claims 3, 6 and 13 are objected to because of the following informalities: It appears that the following changes are required:

Claim 3, line 1: Change "1" to --2-- (the clothed roller is recited in claim 2)

Claim 6, line 1: Change "21" to --1--

Claim 13: The claim does not mention what each element refers to (i.e.,  $R$ ,  $\alpha$ ,  $\Delta T$ ,  $\Delta\alpha$ )

Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-9, 11 and 14-21 are rejected under 35 U.S.C. 102(b) as being anticipated by Mondini (U.S. 4,384,388).

Mondini discloses a carding machine having a carding cylinder 4 and at least a first cooperating device 5 in cooperating relationship with the carding cylinder and an adjusting device 21 for setting a working gap between the carding cylinder and the first cooperating device. The adjusting device 21 comprises a thermal device (22, 32) for adjusting the temperature of a support member (7, 13) of the cylinder.

With regard to claim 2, the first cooperating device 5 is a clothed roller.

With regard to claim 3, the clothed roller is a doffer 5.

With regard to claim 4, a second cooperating device 70 is provided. The device 70 is a clothed roller and is a licker-in.

With regard to claim 5, the thermal device (22, 32) is arranged that the temperature of the support member (7, 13) be matched to the working gap that in an event of a change in the dimensions of the cylinder the working gap can be set or readjusted.

Art Unit: 3765

With regard to claim 6, the support member (7, 13) comprises a framework wall and the thermal device (22, 32) comprises a heating device arranged for heating at least one element of the framework wall via conductive heat transfer.

With regard to claim 7, the framework wall includes a heating element (Figure 2b shows portion of heated moving element attached to the framework).

With regard to claim 8, at least one heating element is on each side of the carding machine.

With regard to claim 9, the temperature of the heating element is adjustable.

With regard to claim 11, the cylinder 4 and a neighboring roller 5 are arranged on their own respective framework (7, 13) walls or struts.

With regard to claim 14, at least one temperature-measuring element 92 is associated with the cylinder.

With regard to claim 15, a doffer 5 is in cooperating relationship with the cylinder 4 and at least one temperature-measuring element (25, 26) is associated with the doffer.

With regard to claim 16, a licker-in 70 is in cooperating relationship with the cylinder 4 and at least one temperature-measuring element (25, 26).

With regard to claim 17, temperature-measuring elements (25, 26) are associated with the surfaces of one or more rollers.

With regard to claim 18, an electronic control and regulating device 22 is connected with the thermal device 32 and at least one temperature-measuring element 26.

With regard to claim 19, a gap-measuring element (25, 26) is provided for determining the gap between two neighboring rollers (4, 5).

With regard to claims 20 and 21, the invention is disclosed in one or more of the above rejected claims.

***Allowable Subject Matter***

6. Claims 10, 12 and 13 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***


7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Demuth et al. '134 disclose a carding machine having an apparatus for cooling the carding machine from generated heat build up. Fritzsche '272 discloses a carding cylinder having spacing sensors for checking the clothing gap between the cylinder and carding machine parts. Leder '754 discloses a device for equalizing heat expansion in a carding machine.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gary L. Welch whose telephone number is (571) 272-4996. The examiner can normally be reached on Mon-Fri 5:30-3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John J. Calvert can be reached on (571) 272-4983. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 3765

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Gary L. Welch  
Primary Examiner  
Art Unit 3765

glw